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To reduce disability and death from cardiovascular diseases and stroke.



Serving Hawaii

Testimony in SUPPORT of HB 2025, “Relating to Tobacco”

The 1998 legal settlement between the states and the tobacco companies prohibited the tobacco companies from taking "any action, directly or indirectly, to target youth... in the advertising, promotion or marketing of tobacco products." However, since the settlement, the tobacco companies have increased their cigarette marketing expenditures by over 94 percent to \$13.36 billion a year, or \$36.6 million a day, according to the Federal Trade Commission. Tobacco industry marketing expenditures in Hawaii in 2005 were \$42.2 million. Much of this marketing is still targeted at kids.

One of the tobacco industry's most outrageous tactics since the state settlement is the use of candy-flavored cigarettes and smokeless tobacco.

- Since the MSA, the tobacco companies have regularly introduced new candy and fruit-flavored tobacco products that clearly are intended as starter products for new tobacco users, most of whom are children. The R.J. Reynolds company, for example, introduced new flavored Camel cigarettes with names like Kauai Kolada, Twista Lime, Warm Winter Toffee and Mocha Mint. A 2005 Harvard School of Public Health study concluded, “Flavored cigarettes can promote youth initiation and help young occasional smokers to become daily smokers by masking the natural harshness and taste of tobacco smoke and increasing the acceptability of a toxic product.” A national survey released in 2005 by the Roswell Park Cancer Institute found that 20 percent of smokers aged 17 to 19 said they had used flavored cigarettes in the past 30 days, while just six percent of smokers over the age of 25 did.
- The U.S. Smokeless Tobacco Company marketed spit tobacco with flavors including berry blend, mint, wintergreen, apple blend, vanilla and cherry.
- Cigar smoking can be deadly and addictive and, just like cigarette smoking, produces toxic secondhand smoke. Youth cigar smoking, like youth cigarette smoking, is also a serious problem, with increasing numbers of kids smoking sweet, candy-flavored cigars that look and feel like cigarettes. Yet the federal and state tax rates on cigars are still far below the current small federal and state tax on cigarettes. Nationally, an estimated 2.2 percent of adults smoke cigars and 14 percent of high school students are current cigar smokers (19.2 percent of males, 8.7 percent of females) – higher than high school students who use smokeless tobacco (8.0 percent). Among the most popular and fastest growing cigar products are small, cigarette-like cigars with kid-friendly flavors, and other flavored cigars. For instance, Altadis recently introduced a “super sweet” Sugarillos line for its Phillies brand and Swisher added a grape-flavored cigarillo to its Swisher Sweet flavors, such as strawberry and chocolate.

There are several ongoing efforts to stop the tobacco companies from continuing to target our children. Several state attorneys general, including Hawaii’s, sued tobacco companies for violating the state settlement's prohibition on targeting kids. That resulted in a settlement with RJR Tobacco Company, but that agreement contains loopholes that will still allow the company to market flavored tobacco products in certain locations. In fact, barely seven months after settling its law suit with the state attorneys general, RJR was again trying to circumvent the settlement by

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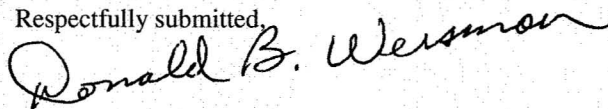
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introducing new flavored cigarettes in yet another marketing scheme that was likely to appeal to children. RJR took out a lavish ad in *Cosmopolitan*, a magazine with a high youth readership, to introduce its Camel Signature Blends cigarettes that come in Robust, Mellow, Frost and Infused flavors. RJR's web site describes Robust as "similar to notes found on cocoa and espresso"; Mellow as "accented with toasted honey"; Frost as "Fine Asian Mint... while the creamy finish delivers a smooth, buttery aftertaste"; and Infused as offering "notes of Citrus" and "a sweet apple-like flavor." These products are also being advertised and sold in stores. While RJR claims its web site is age-restricted, kids will be fully exposed to the magazine and store ads that highlight the tempting new cigarette names and claims of "distinctive flavor." RJR's continued marketing of flavored cigarettes is further evidence that the tobacco companies have not changed and will not change until forced to do so.

The other companies have yet to address the issue of flavored tobacco sales.

Tobacco use is the leading preventable cause of death in the United States. It kills more than 400,000 Americans and costs the nation more than \$96 billion in health care bills every year. Every day, another 1,200 Americans die from tobacco use and more than 1,000 kids become regular smokers. This deadly toll will continue to mount so long as tobacco companies like R.J. Reynolds remain unregulated and free to engage in marketing that appeals to kids. Cigarettes are flavored to hide the bitter taste of death and addiction that might turn away potential new addicts from becoming the next generation of the tobacco industry's victims. The Hawaii State Legislature should end the targeting of Hawaii's keiki by these merchants of death by passing HB 2025 and banning flavored tobacco products.

Respectfully submitted,



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American Heart Association



COALITION FOR A
TOBACCO-FREE HAWAII

Email to: Committee on Health, HLTtestimony@Capitol.hawaii.gov

**RE: House Committee on Health, hearing schedule, January 23, 2008, 8:00 A.M., Conference Rm. 329
Representative Josh Green, M.D., Chair & Representative John Mizuno, Vice Chair**

RE: Testimony in Strong Support of HB 2025, Relating to Flavored Tobacco Products.

Chair Green, Vice Chair Mizuno, and members of the Committee on Health.

Thank you for the opportunity to once again submit testimony in strong support of HB 2025, which prohibits the sale and distribution of flavored tobacco products by those tobacco manufacturers which were not part of the October 2006, settlement agreement with the 38 states including Hawaii. My name is George Massengale, I am the Policy Director, for the Coalition for a Tobacco Free Hawaii, a statewide association of over 140 member organizations, businesses and more that 2,000 individuals committed to working together to reduce the negative impact of tobacco on the health of Hawaii's children, adults, and visitors.

As this committee is aware, the Coalition continues to be an unyielding supporter of efforts that reduce the number of youth who use tobacco products. The introduction of **“candy flavored tobacco products”** by the tobacco industry is clearly aimed at our youth. Research from the Harvard School of Public Health in November 2005, found that cigarette makers are still targeting young smokers with candy and liqueur-flavored new brands that mask the harsh and toxic properties found in tobacco smoke.

In May 2005, researchers at the Roswell Park Cancer Institute in Buffalo, NY, released the results of several surveys that showed that 20% of smokers ages 17 to 19 smoked flavored cigarettes vs. only 6% of smokers over the age of 25. Clearly this shows that flavored cigarettes are much more popular among younger smokers than older smokers. As noted in the settlement agreement with R.J. Reynolds in October 2006, Reynolds was violating provisions of the master settlement agreement by marketing flavored cigarettes to youth.

In our testimony last year on a similar flavored tobacco bill, we noted that in Hawaii, our youth smoking rates are dropping. In 2000, Hawaii's youth smoking rate was 24.5% for public high school students and 12.9% for public middle school students. In, 2006, the rate was 12.6% for public high school students, and 7.9% for middle school students. Tobacco sales to minors is declining because of public education, counter marketing, and prevention efforts. Clearly these efforts are working. HB 2025 would further impact these rates and



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strengthen protections for our youth by prohibiting the sale and distribution of not only flavored cigarettes, but smokeless tobacco products as well.

Prohibiting the sale and distribution of “seductive” flavored tobacco products and cigarettes is clearly sound public health policy and would prevent many of our young people from suffering a lifetime of tobacco addiction.

Sincerely yours,
George S. Massengale, JD
Policy Director